

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| ----- | X |
| COENTERPRISE, LLC, | : |
| Plaintiff, | : |
| -v- | : |
| KEVIN DONELSON JONES, | : |
| Defendant. | : |
| ----- | X |

JESSE M. FURMAN, United States District Judge:

The Court's January 23, 2025 Order to Show Cause directed the parties, in accordance with the Court's Individual Rules and Practices, to send a joint email to the Court in advance of tomorrow's teleconference "with the names and honorifics . . . of counsel who may speak during the teleconference and the telephone numbers from which counsel expect to join the call." ECF No. 19, at 5. Earlier today, Plaintiff's counsel emailed the Court with that information, but the email went well beyond the limited information that the Court authorized the parties to send by email and even requested certain relief. In doing so, it ran afoul of the Court's Individual Rules and Practices, which, "[e]xcept as otherwise provided," mandate that "communications with the Court . . . be by letter, filed electronically on ECF." Rule 2(A); *see also, e.g., Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006) (holding that judicial documents are subject to a presumption in favor of public access). Accordingly, the email is attached hereto, albeit with limited redactions to protect Defendant's privacy interests. The Court will file and maintain the unredacted email under seal.

SO ORDERED.

Dated: January 27, 2025
New York, New York



JESSE M. FURMAN
United States District Judge

From: [Eric W. Moran](#)
To: [Furman NYSD Chambers](#)
Cc: [kevindonjones16@gmail.com](#); [kevindonjones866@gmail.com](#); [johndoepinkley@gmail.com](#); [Gay, Mike](#); [Michael A. Brodlieb](#)
Subject: CoEnterprise, LLC v. Kevin Donelson Jones, 1:25-cv-00543-JMF
Date: Monday, January 27, 2025 3:33:43 PM

CAUTION - EXTERNAL:

Dear Judge Furman:

Per the Order to Show Cause, dated January 23, 2025, and Rule 3(B)(i) of this Court's Individual Rules and Practices, we write to provide the Court with the names and honorifics of counsel who may speak during tomorrow's 3:30 p.m. teleconference and the telephone numbers from which counsel expect to join the call.

For Plaintiff CoEnterprise, LLC the following counsel may speak and expect to join the call from the following telephone numbers:

- Mr. Eric W. Moran - 212-351-4510
- Mr. Michael A. Brodlieb - 212-351-4706

We are as of yet unaware of the names of any counsel that may speak at tomorrow's teleconference on behalf of the defendant, Mr. Jones. Earlier today, at 10:51 a.m., we sent an email to Mr. Jones and Michael Gay, Esq. of Foley & Lardner LLP, requesting such information, but we have not yet received a response. While Mr. Jones referenced attorney Gay as someone who might assist him, and began copying him on correspondence with this firm, attorney Gay has confirmed to us that Mr. Jones has not formally retained him in this matter. We have, nevertheless, been copying Mr. Gay in an abundance of caution should his status as counsel to Mr. Jones change.

Lastly, we believe it incumbent upon us to inform the Court that while we have provided defendant Kevin Jones with all filed papers via email, our efforts to effect in-person service of the Summons and Complaint upon him have revealed that that address was a [REDACTED] facility." The director of that facility informed our process server that Mr. Jones was a former resident of that facility but had left the program at the facility. We further note that, in one of the voice messages Mr. Jones left for CoEnterprise's CEO (referenced at Decl. of Lucy Maresco at ¶ 41 (ECF No. 16.)), Mr. Jones sounded [REDACTED]. Finally, we discovered today in researching publicly available records that Mr. Jones has been the subject of [REDACTED] [REDACTED]. Accordingly, if Mr. Jones determines to proceed on his own behalf without counsel, to ensure the integrity of the proceedings, we would respectfully request that the Court colloquy the defendant to ascertain answers to the following questions:

1. Have you taken any drugs, medicine, or pills or drunk any alcoholic beverage in the past twenty-four hours?
2. Are you currently or have you recently been under the care of a physician or a psychiatrist, or been hospitalized or treated for narcotics addiction?

3. Is there any reason that you feel you cannot proceed with these proceedings today?

Respectfully submitted,

**EPSTEIN
BECKER
GREEN**

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